

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

JAMES CARTER, #56555

PETITIONER

V.

CIVIL ACTION NO. 3:22-CV-344-KHJ-MTP

PREMIER SUPPLY LINK, LLC

RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the [27] Report and Recommendation (“Report”) of United States Magistrate Judge Michael T. Parker. It recommends dismissing the case without prejudice. [27] at 1. Written objections to the Report were due by April 12, 2023. The Report notified the parties that failure to file written objections by that date would bar further appeal in accordance with 28 U.S.C. § 636. *Id.* at 3.

When no party has objected to a magistrate judge’s report and recommendation, the Court need not review it de novo. 28 U.S.C. § 636(b)(1). Instead, the Report is reviewed under the “clearly erroneous, abuse of discretion and contrary to law” standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Pro se Plaintiff James Carter was incarcerated with the Mississippi Department of Corrections when he filed this action. [27] at 1. He seeks habeas relief, contending Premier Supply Link acted with deliberate indifference by allegedly selling defective and harmful products. The Magistrate Judge recommends dismissing the petition without prejudice because Carter has failed to

notify the Court of his new address and to respond to the Court's orders to show cause. *See id.* at 1–2. Carter did not object to the Report, and it is neither clearly erroneous nor contrary to law. Accordingly, it is adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the [27] Report and Recommendation of United States Magistrate Judge Michael T. Parker is adopted as the opinion of this Court. This case is DISMISSED without prejudice. The Court will issue a separate Final Judgment consistent with this Order.

SO ORDERED, this the 18th day of April, 2023.

s/ Kristi H. Johnson  
UNITED STATES DISTRICT JUDGE